

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAMON L. JONES,
Petitioner,
v.
DAVE DAVEY, Warden,
Respondent.

Case No. 16-cv-05239-HSG (PR)

**ORDER DENYING LEAVE TO
PROCEED IN FORMA PAUPERIS ON
APPEAL; DIRECTIONS TO CLERK**

Re: Dkt. No. 20

On September 13, 2016, petitioner, a California prisoner proceeding *pro se*, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging the validity of a judgment obtained against him in state court. On August 8, 2017, the Court dismissed the petition as untimely and denied a certificate of appealability. On September 15, 2017, the Court granted petitioner an extension of time in which to file a notice of appeal, and petitioner filed his notice of appeal on October 6, 2017.

Petitioner has filed his prison trust account statement, which the Court construes as a motion to proceed in forma pauperis on appeal. In its order dismissing the petition, the Court declined to issue a certificate of appealability and determined there were no valid grounds for an appeal. Consequently, petitioner fails to show good cause to proceed in forma pauperis on appeal.


Accordingly, the motion to proceed in forma pauperis on appeal is hereby DENIED.

The Clerk shall send a copy of this order to petitioner and to the Ninth Circuit Court of Appeals, where petitioner may renew his motion. *See* Fed. R. App. P. 24(a).

This order terminates Docket Number 20.

IT IS SO ORDERED.

Dated: 11/9/2017


HAYWOOD S. GILLIAM, JR.
United States District Judge